

Mitchell J. Auslander (MA 1224)
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Attorneys for the Marsh Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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IN RE: INSURANCE BROKERAGE	:	MDL No. 1663
ANTITRUST LITIGATION	:	
	:	Civil No. 04-5184 (GEB)
APPLIES TO ALL ACTIONS	:	
-----	:	
	:	Civil No. 05-1079 (GEB)
	:	
IN RE: EMPLOYEE-BENEFIT INSURANCE	:	Hon. Garrett E. Brown, Jr.
BROKERAGE ANTITRUST LITIGATION	:	
	:	Motion Date: August 4, 2008
APPLIES TO ALL ACTIONS	:	
	:	(Filed Electronically)
-----X	:	

**MARSH DEFENDANTS' NOTICE OF MOTION FOR
PRELIMINARY APPROVAL OF THE PROPOSED SETTLEMENT AGREEMENT**

TO: ALL COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on August 4, 2008 at 10:00 a.m. or as soon thereafter as counsel may be heard, Defendants Marsh & McLennan Companies, Inc.; Marsh Inc.; Marsh USA Inc.; Marsh USA Inc. (Connecticut); Mercer Inc.; Mercer Human Resource Consulting LLC; Mercer Human Resource Consulting of Texas, Inc.; and Seabury & Smith, Inc. (the “Marsh Defendants”), by their attorneys, shall move before the Honorable Garrett E. Brown, Jr., U.S.D.J. of the United States District Court for the District of New Jersey, at the Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608, for an Order (i) preliminarily approving the Settlement Agreement and authorizing the Settling Parties to provide notice of the Settlement Agreement to Settlement Class Members in the form and pursuant to the methodology set out in the Settlement Agreement; and (2) setting a date for a hearing at which the Court will consider whether to give final approval to the Settlement Agreement.

PLEASE TAKE FURTHER NOTICE that in support of their motion, the Marsh Defendants shall rely on a Memorandum of Law; Declaration of Mitchell J. Auslander (attaching the Settlement Agreement dated June 19, 2008 and Exhibits thereto); and a proposed form of Order set out as Exhibit D to the Settlement Agreement, all filed concurrently herewith.

Dated: July 3, 2008

WILLKIE FARR & GALLAGHER LLP

By: /s/ Mitchell J. Auslander
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Companies, Inc.; Marsh Inc.; Marsh USA Inc.;
Marsh USA Inc. (Connecticut); Mercer Inc.;
Mercer Human Resource Consulting LLC; Mercer
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